

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GEOFFREY VARGA and WILLIAM
CLEGHORN, as Joint Voluntary Liquidators
of Bear Stearns High-Grade Structured Credit
Strategies (Overseas) Ltd. and Bear Stearns
High-Grade Structured Credit Strategies
Enhanced Leverage (Overseas) Ltd., and as
assignees of shares in Bear Stearns High-Grade
Structured Credit Strategies Enhanced
Leverage (Overseas) Ltd., *et al.*,

Plaintiffs,

-against-

THE BEAR STEARNS COMPANIES, INC.,
et al.,

Defendants.

**DEFENDANT CIOFFI'S NOTICE
OF MOTION TO DISMISS**

No. 08-CV-03397 (AKH)

FIC, L.P., individually, and on behalf of all
others similarly situated,

Plaintiff,

-against-

BEAR STEARNS ASSET MANAGEMENT
INC., *et al.*,

Defendants.

No. 07-CV-11633 (AKH)

NAVIGATOR CAPITAL PARTNERS, L.P.,
on behalf of itself and all others similarly
situated,

Plaintiff,

-against-

BEAR STEARNS ASSET MANAGEMENT,
et al.,

Defendants.

No. 07-CV-07783 (AKH)

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, dated October 30, 2008, defendant Ralph Cioffi will move this Court before the Honorable Alvin K. Hellerstein, United States District Judge, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, on January 7, 2009 at 10 a.m. for an order pursuant to Rules 9(b), 12(b)(6) and 23.1 of the Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act of 1995 dismissing the complaints in the above captioned actions and awarding such other relief as the Court may find to be just and equitable.

Respectfully submitted,

HUGHES HUBBARD & REED LLP

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Attorneys for Defendant Ralph Cioffi

CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2008, I caused true and correct copies of Defendant Cioffi's Notice of Motion To Dismiss to be served by ECF to all counsel of record.

/s/ Jason A. Masimore
Jason A. Masimore